

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)
Use and Benefit of Herself and the Next Kin of)
Richard Smith, Deceased,)

Plaintiff,)

v.)

PFIZER, INC., *et al.*,)

Defendants.)

Civil No. 3:05-0444
Judge Aleta A. Trauger
(Dist. Of MA No.
1:05-cv-11515PBS)

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

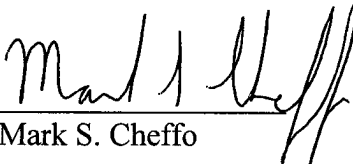
I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.

2. Attached as Exhibit 1 is a true and correct copy of excerpts from the September 2-3, 2008, deposition of Michael Trimble.

3. Attached as Exhibit 2 is a true and correct copy of excerpts from the May 23, 2007, deposition of Edward Mackey.

I declare the foregoing statements are true and correct under the penalties of perjury, this the 19th day of January, 2010.


Mark S. Cheffo

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of January 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

Andrew G. Finkelstein, Esq.
Kenneth B. Fromson, Esq.
Finkelstein & Partners, LLP
436 Robinson Avenue
Newburg, NY 12550

Charles F. Barrett, Esq.
Barrett & Associates, P.A.
6718 Highway 100, Suite 210
Nashville, TN 37205

Dara G. Hegar, Esq.
Ken S. Soh, Esq.
Maura Kolb, Esq.
Robert Leone, Esq.
W. Mark Lanier, Esq.
Lanier Law Firm
6810 FM 1960 West
Houston, TX 77069

Prince C. Chambliss, Jr., Esq.
Evans & Petree, PC
1000 Ridgeway Loop Road, Suite 200
Memphis, TN 38120

/s/ Gerald D. Neenan